

UNITED STATES DISTRICT COURT

for the
Middle District of North Carolina

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)
Priority Mail Packages 9534 6123 7589 3145 0448 14,
located at 302 S McNeill St, Carthage, NC 28327 (Moore
County Sheriff's Office).

} Case No. 1:23-mj-225

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Priority Mail Packages 9534 6123 7589 3145 0448 14, located at 302 S McNeill St, Carthage, NC 28327 (Moore County Sheriff's Office).

located in the Middle District of North Carolina, there is now concealed (identify the person or describe the property to be seized):

Controlled substances, packing for controlled substance, and materials and documents reflecting the distribution of controlled substances through the U.S. Mail.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

evidence of a crime;
 contraband, fruits of crime, or other items illegally possessed;
 property designed for use, intended for use, or used in committing a crime;
 a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
21 USC 841(a)	Distribution/Possession with Intent to Distribute Controlled Substances
21 USC 846	Conspiracy to Distribute Controlled Substances

The application is based on these facts:

See attached Affidavit.

Continued on the attached sheet.
 Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

/s/ Tyler Cheek

Applicant's signature

Tyler Cheek, Task Force Officer

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
telephone _____ (specify reliable electronic means).

Date: 05/30/23


Judge's signature

City and state: Greensboro, North Carolina

Hon. L. Patrick Auld, United States Magistrate Judge

Printed name and title

AFFIDAVIT

The undersigned, being duly sworn, deposes and states:

1. I, Tyler Cheek, am a United States Postal Inspection Service (“USPIS”) Task Force Officer and have been so employed since 2022. I am currently assigned to the Contraband Interdiction and Investigations Team in Raleigh, North Carolina and am responsible for the investigation of narcotics, drug trafficking organizations, and money laundering. I have received training by the USPIS, and members of the USPIS, in the investigation of controlled substances or proceeds/payments being transported through the United States. I am a Detective Sergeant with the Moore County Sheriff’s Office (“MCSO”) and have been a sworn deputy with the MCSO Since May of 2016. I started my career with the MCSO as a Detention Officer at the Moore County Detention Center in May of 2016. I have received over 1,000 hours of law enforcement training. I have received this training from the North Carolina Justice Academy as well as others across the state. In November of 2018 I attended the Federal/State Drug Investigation Training Conference. In September of 2020, I became certified as a Prescription Drug Diversion Investigator. I have assisted other agencies in numerous drug violations and investigations related to the sales and possession of illegal narcotics. I am familiar with the appearance of scheduled prescription pills, powder cocaine, crack cocaine,

marijuana, and methamphetamines. I am also familiar in the manner in which all of it is packaged for distribution and sales. In March of 2018 I was promoted to Detective Sergeant and began working with the Narcotic's Division at the MCSO as a Narcotics Investigator. I have been involved in and have assisted in numerous drug investigations and arrests since becoming a Narcotics Investigator.

2. This affidavit is submitted for the limited purpose of establishing probable cause for the search warrant sought. I have not set forth each and every fact known to me concerning this investigation. I have included what I believe are facts sufficient to establish probable cause that violations of Title 21, United States Code Sections 841(a) and 846 have occurred, are occurring, and will occur. The information contained in this affidavit is based upon my personal knowledge and investigation, as well as information conveyed to me by other law enforcement agents and employees.
3. On May 27, 2023, I conducted a review of United States Postal Service (“USPS”) business records pertaining to suspicious packages inbound to the Middle District of North Carolina. Upon doing so, I identified Priority Mail package 9534 6123 7589 3145 0448 14 (hereafter, “Subject Parcel 1”) and Priority Mail package 9534 6123 7589 3145 0447 91 (hereafter, “Subject Parcel 2”). Both packages were mailed from Tolleson, Arizona, a known source area for methamphetamine and fentanyl. I further confirmed the

mailer paid \$99.05 in cash to mail the packages, a method frequently used by drug traffickers to evade law enforcement detection.

4. Although both packages displayed on the written label that they were addressed to 925 Gillette St, Winston Salem, NC 27105, USPS business records showed a delivery address of 425 Gossett St, Winston-Salem, NC 27105. The exact reason for the discrepancy is unknown, however, the USPS requires that a person mailing a package digitally verify the address it is being mailed to. Therefore, even if a USPS employee improperly enters the mailing address, the person shipping the package can correct the address. A USPS employee will then deliver the package to the address listed on the printed USPS label, not necessarily the address handwritten on the package.
5. Subject Parcel 1 is described as follows:
 - A. Addressed to: "Anthony Lions 925 Gillette St Winston Salem, NC 27105"
 - B. From: "Zayvion Thomas 16541 W Garfield St Goodyear, AZ 85338"
 - C. Size: approximately 15 x 12 x 10
 - D. Weight: approximately 11 pounds 9 ounces
 - E. Postage affixed: \$47.40
 - F. Physical description: Brown in color USPS box bearing tracking number 9534 6123 7589 3145 0448 14.
6. Subject Parcel 2 is described as follows:

- A. Addressed to: "Anthony Lions 925 Gillette St Winston Salem, NC 27105"
- B. From: "Zayvion Thomas 16541 W Garfield St Goodyear, AZ 85338"
- C. Size: approximately 15 x 12 x 10
- D. Weight: approximately 12 pounds 2 ounces
- E. Postage affixed: \$51.65
- F. Physical description: Brown in color USPS box bearing tracking number 9534 6123 7589 3145 0447 91.

7. I conducted a review of available law enforcement databases and determined that neither Anthony Lions nor Zayvion Thomas associate with either address listed. I also confirmed both Subject Parcel 1 and Subject Parcel 2 were already delivered to 425 Gossett St, Winston-Salem, NC 27105.

8. On May 27, 2023, Inspector Wicks and I traveled to Winston-Salem regarding Subject Parcel 1 and Subject Parcel 2. We then traveled to 425 Gossett St, Winston-Salem, NC 27105 and made contact with the homeowners. The homeowners confirmed that earlier in the day two packages were delivered to their residence. They noticed both packages were addressed to 925 Gillette St, Winston-Salem, NC 27105. The homeowners called their local USPS Post Office to have the packages returned, however, the Post Office was closed when they called. The homeowners provided both Subject Parcel 1 and Subject Parcel 2 to the

USPIS.

9. After receiving the packages, I verified the tracking numbers and address on both packages. Both packages matched Subject Parcel 1 and Subject Parcel 2. Inspector Wicks noted the odor of methamphetamine emanating from the packages. I then transported both packages to the Moore County Sheriff's Office located at 302 S. McNeill St, Carthage, NC 28327 and secured them in evidence.
10. I am aware, through my training and experience, that people who utilize the U.S. Mail to distribute controlled substances and/or monetary payments related thereto commonly use fictitious names and addresses to attempt to avoid detection by law enforcement agencies. I am also aware that Arizona is a source state, and that North Carolina is a known destination for controlled substances through the U.S. Mail.
11. I am aware, also through training and experience, that people often use the U.S. Mail, specifically Express, Priority Mail Express and Priority Mail, for the delivery of controlled substances and narcotics proceeds for various reasons, some of which are listed below:
 - A. Items sent via Express, Priority Mail Express, and Priority Mail are considered First-Class Mail. Therefore, these items cannot be examined without a federal search warrant.
 - B. Express, Priority Mail Express, and Priority Mail are generally

expected to be delivered in one to three days. This assures the sender of expedited delivery.

- C. Various dispatch times (times which a mailed item is transported to the next destination) are available to customers upon request and provide the sender an opportunity to have some control as to the arrival of the mailed item.
- D. Individuals desiring to either send or receive controlled substances and payments for these substances through the U.S. Mail can do so without having to provide identification. This reduces the possibility of revealing their true identity.
- E. Individuals use the U.S. Mail to send payment, often large sums of currency, for the controlled substances they have purchased. It is common for the currency to come into contact with the narcotics during drug transactions. It is further common for the currency to pick up the odor of narcotics when they come into contact. The narcotic odor on currency typically dissipates after approximately one week.

Information Regarding the Use of a Drug Detecting Canine

- 12. On May 28, 2023, Deputy Dean of the MCSO, assigned to the MCSO Uniformed Patrol Division as a canine handler, was contacted regarding Subject Parcel 1 and Subject Parcel 2. Deputy Dean and drug detecting canine Dixi (hereafter, "Dixi"), responded to the MCSO, located at 302 S.

McNeill St., Carthage, NC 28327.

13. Subject Parcel 1 was placed in a lineup with four other parcels, none of which contained a controlled substance. Dixi walked among the parcels. Dixi alerted only to Subject Parcel 1 by lying and staring at Subject Parcel 1, which was Dixi's signal to indicate the scent of a controlled substance. The examination took place at approximately 5:00 p.m. on May 28, 2023.
14. Subject Parcel 2 was placed in a lineup with four other parcels, none of which contained a controlled substance. Dixi walked among the parcels. Dixi alerted only to Subject Parcel 2 by lying and staring at Subject Parcel 2, which was Dixi's signal to indicate the scent of a controlled substance. The examination took place at approximately 5:15 p.m. on May 28, 2023.
15. Deputy Dean has been a sworn law enforcement officer for the past nine years and a canine handler for the past eight years and is currently employed as a Deputy Sheriff with MCSO. Deputy Dean has received over 180 hours of instruction and training in narcotics enforcement, narcotics related investigations, criminal/drug interdiction and legal updates while attending basic, intermediate, and advanced police schools. Deputy Dean has initiated and/or assisted in hundreds of narcotics related investigations and has initiated and/or supervised

hundreds of investigations leading to the arrest and conviction of narcotics users, street level dealers and traffickers in North Carolina.

Deputy Dean has been a certified canine trainer for the past four years.

16. In November of 2021, Deputy Dean was selected by the MCSO to be the canine handler for the Uniformed Patrol Division. Deputy Dean and Dixi are a certified narcotics detection team through the North American Police Work Dog Association (“NAPWDA”).
17. In 2023, the MCSO purchased Dixi from Shallow Creek Kennels in Pennsylvania. Dixi is a female German Shepard, a breed specifically selected for their keen senses and ability to be trained to detect the odor of controlled substances.
18. Deputy Dean and Dixi were originally certified as a Narcotics Detection Team by the NAPWDA in the detection of crack cocaine, cocaine HCL, heroin, and methamphetamine. Deputy Dean and Dixi’s most recent certification was conducted by the NAPWDA Master Trainer Rob Hickman in March 2023. This certification is valid for 12 months from the date of issuance.
19. Dixi is trained to “passively alert” after detecting the odor of narcotics for which she has been trained. This “passive alert” consists of a physical reaction which ultimately ends in her coming to a sitting and/or lying position when the odor of narcotics for which she is trained is detected.

Dixi also exhibits various mental and physical reactions which are noticeable to Deputy Dean which include changes in her behavior such as becoming possessive of the area, a refusal to leave an area where the odor of narcotics is detected, and changes in her breathing rate and sniffing patterns.

20. Dixi undergoes frequent training for the detection of concealed controlled substances, which is on-going in order to ensure her proficiency. Deputy Dean also frequently consults various periodicals and law enforcement bulletins to stay informed about current trends utilized by narcotics traffickers to include advanced narcotic concealment and packaging methods.

Conclusion Regarding Probable Cause

21. Based on the above facts, I have probable cause to believe that Subject Parcel 1 and Subject Parcel 2 will contain contraband and/or evidence in violation of Title 21, United States Code, Sections 841(a)(1) and 846. As

such, I respectfully request that a Search Warrant be issued for Subject Parcel 1 and Subject Parcel 2.

/s/ Tyler Cheek
Tyler Cheek
Task Force Officer
USPIS

In accordance with Rule 4.1(b)(2)(A), the Affiant attested under oath to the contents of this Affidavit, which was submitted to me by reliable electronic means, on this 30th day of May 2023, at 2:21 a.m./p.m. 

The Honorable L. Patrick Auld
United States Magistrate Judge